

**PLANNING BOARD
TOWN OF WILBRAHAM**
240 Springfield Street
Wilbraham, Massachusetts 01095

Jeffrey Smith, Chairman
Adam Basch
John McCloskey
Tracey Plantier
David Sanders
James Moore, Associate



John Pearsall, Planning Director
Karen Benoit, Admin. Assistant

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**MINUTES OF THE WILBRAHAM PLANNING BOARD
WEDNESDAY, SEPTEMBER 16, 2015**

In attendance: Jeffrey Smith, Chairman
John McCloskey
Tracey Plantier
David Sanders (Arrived at 6:45pm)
James Moore, Associate

Staff: John Pearsall, Planning Director
Lance Trevallion, Building Inspector
Karen Benoit, Administrative Assistant

Chairman Smith called the meeting to order at 6:35 PM and asked those assembled in the room to proudly join the Planning Board in the recitation of the Pledge of Allegiance.

1. Approval of Minutes

Chairman Smith called for a motion to approve the minutes of August 19, 2015 and asked if there were any comments or revisions.

MOTION (PLANTIER, MCCLOSKEY): I move that the Board approve the minutes of the August 19, 2015 Planning Board meeting as submitted. Approved (5-0).

2. Citizens Open Forum

No citizens took advantage of the open forum opportunity.

3. Building Inspector's Report

Building Inspector Lance Trevallion advised the Board that he has been very busy with zoning concerns as well as complaints about chickens. He suggested that perhaps something could be drafted for a zoning amendment for the 2016 ATM regarding chickens. He added that he is currently working on an enforcement issue where a gentleman is operating an unpermitted business out of his son's home on Monson Road and is currently awaiting a hearing date with Palmer District Court. Mr. Trevallion also added that the Building Department has been very busy and short-staffed as of late. He added that Purr-Fect Auto Service located at 467 Main Street is looking to sell the business, and the prospective purchaser is interested in opening a convenience store accessory to the gas station. Mr. Trevallion advised that the new owner would need to apply to the Board of Appeals for a Chapter 40A, Section 6 finding.

4. **Miscellaneous Information**

The Planning Board briefly reviewed the following:

- A. **Attorney General Approval of Zoning By-Law Amendments – August 31, 2015**
- B. **Notice of Right of First Refusal – Land of Estate of Tracy Rice, 1329 Tinkham Road**
- C. **Subdivision Status Report – September 2015**

5. **Appointment – Lawrence Lloyd**

Revised Plans of Area E – Cedar Ridge PURD

Lawrence Lloyd, representing Kent Pecoy & Sons Construction, Inc., appeared before the Board with revised plans of Area E of the Cedar Ridge PURD located at 404 Stony Hill Road that received special permit approval on February 11, 2015. Mr. Lloyd stated that Phase E still has 3.3 acres with 12 units proposed but, after working with the architect, it was suggested that location of the detention basins and the approved building footprints be adjusted so that all the units are accessed from Oaks farm Lane with the orientation of the units squared to the street. He added that Planning Director John Pearsall and DPW Director Ed Miga had reviewed the plans, and the house numbering was approved by the Assessors office. The Board determined that this was not a major substantive change that would require a special permit amendment.

MOTION (PLANTIER, SANDERS): I move that the Board grant administrative approval to allow revised plans for the “Area E Expansion” of the Cedar Ridge PURD prepared by Fuss & O’Neill dated July 21, 2015 to replace and supersede previously approved plans dated June 24, 2014 by special permit (SP14-04) issued February 11, 2015 based on a determination that the proposed site plan modifications do not constitute a major substantive change which would require a special permit amendment.

6. **Public Hearing (Cont. from 8/19/15)**

Definitive Subdivision – 601 Main Street

Willow Brook Estates (Falcon Meadows Estates) – 601 Main Street, LLC

(Videotaped – WPA)

Present: Anthony Carnevale, co-owner of 601 Main Street LLC; John Masuk, R. Levesque Associates
Board Members Adam Basch and John McCloskey recused themselves due to a possible conflict of interest and left the meeting room.

Chairman Smith re-opened the public hearing and read the legal notice into the record. Mr. Carnevale returned to the Board with revised plans to continue discussions relative to his application for definitive subdivision approval. Mr. Masuk stated that the proposed name has been changed to Willow Brook Estates with the street name changing to Willow Brook Lane. Mr. Masuk reviewed the letter that R. Levesque Associates submitted to the Planning Board on September 15, 2015 with specific responses to each issue and question raised at the last meeting, and the Board reviewed it in great detail. The requested waiver for the length of the street in the cul-de-sac was also reviewed. There was no opposition heard from the audience.

MOTION (SANDERS, PLANTIER): I move that the Board authorize the Planning Director and Chairman to prepare a draft decision of approval with conditions for further consideration at the next Planning Board meeting. Approved 3-0.

The public hearing was closed at 7:20 pm.

7. **Appointment – Zane Mirkin, Attorney Frank Fitzgerald & Attorney Thomas Mackie**
Current & Proposed Future Use of Recycling Facility
Land of JPZ, Inc. – 120 Old Boston Road

Zane Mirkin, co-owner of JPZ, Inc., and Attorneys Fitzgerald and Mackie appeared before the Board for preliminary discussions relating to the future use of the former transfer station located at 120 Old Boston Road. Mr. Fitzgerald provided a brief history of the property and use and stated that Waste Management has recently terminated operations, and there is now an increased need to process municipal soil waste and impacted soils. Mr. Fitzgerald stated that they are in the preliminary stages of obtaining approvals from the DEP and the Town and will also want to work with Town Counsel throughout the process. Mr. Mirkin stated that there will be less tonnage and less truck traffic as the product will be shipped out via train. He added that the train can enter their building where the product is stored which will also reduce noise and truck traffic as well as mitigate any other site specific concerns. The Planning Board agreed a viable operation will be good in that location and advised the proponents to return to a future meeting for further discussions as the process moves along.

8. **Draft Decision – Special Permit (SP15-02)**
Large-Scale Ground-Mounted Solar Energy System – No Fossil Fuel LLC
Land of Charles L Merrick Trust, 651 Main Street

The Board reviewed the updated draft decision for Special Permit (SP15-02) dated September 16, 2015 on the petition of No Fossil Fuel LLC for a large-scale ground-mounted solar energy system on the land of Charles L Merrick Trust located at 651 Main Street presented by Planning Director John Pearsall. Mr. Pearsall proposed that the second sentence in condition 6A to be amended to read as follows: “Except as provided for in condition 6D, special care shall be taken to retain all existing healthy trees and vegetation to the maximum extent practical along the entire perimeter of the leased area between the erosion control (limit of work) line shown on the approved plan and the boundary line of the leased area in order to maintain a natural buffer as a noise barrier and to screen the site of the proposed solar facility from the view of abutting residential properties and Tinkham Road.” Mr. Sanders and Mr. McCloskey objected to references to Wilbraham’s carbon footprint and greenhouse gas emissions in the form of carbon dioxide pollution in the second sentence in finding #1 listed under Specific Findings – Special Permit Criteria on page 7 and it was proposed that said sentence be amended by putting a period after the words “clean renewable energy” thereby eliminating the objectionable language.

MOTION (SANDERS, PLANTIER): I move that the Board grant special permit SP15-02 subject to conditions of approval contained in the draft Notice of Decision dated September 16, 2015 with amendments to condition 6A and Special Permit Criteria Finding #1 as proposed.

9. **Westminster Court Preliminary Subdivision – Update**
A. Preliminary Plan Decision
B. Proposed Estate Lot Development

Chairman Smith and Planning Director Pearsall reviewed the plans for the Westminster Court Preliminary Plan that was approved by the Planning Board on August 19, 2015 and presented a revised plan proposal to replace the single frontage lot and two lot cul-de-sac road at the southern end of the property with a two lot estate development accessed from a common driveway. The Board noted several advantages to the revised plan including the elimination of the proposed frontage lot and potential driveway, the elimination of the proposed subdivision road and detention basin in favor a single common driveway, and the protection of the remaining land as open space. Brian Cunningham of 899 Stony Hill Road, an abutter to the proposed subdivision, was present and asked whether the proposed estate lots met the minimum usable land area and other requirements of the Zoning By-Law. The Board thanked Mr. Cunningham for his research and input and advised that the proposal is preliminary and that the plan would undergo scrutiny during the public hearing review process if an application were to be submitted.

10. **Set Fall Meeting Schedule**

The Planning Board agreed to meet on October 28 and November 18, 2015 at 6:30 PM

11. **FY2016 Work Plan**

The Board and Planning Director discussed the FY2016 Work Plan focusing on possible zoning amendments to the Zoning By-Law for consideration at the Annual Town Meeting in 2016.

Having no further business, the meeting was adjourned by unanimous consent at 10:08 PM. The Board will reconvene at its next scheduled meeting on Wednesday, **October 7, 2015 at 6:30 PM** in the Selectmen's Meeting Room.

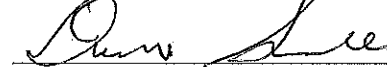
Submitted:



Karen Benoit, Administrative Assistant

Date: 10/2/15

Approved As To Form And Content:



David Sanders, Clerk

Date: 10/7/15